



Agenda Date: 6/21/06
Agenda Item: 6A

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

RELIABILITY & SECURITY

IN THE MATTER OF SECURITY CONSTRUCTION
STANDARDS FOR ALL PUBLIC UTILITY AND CABLE)
TELEVISION COMPANIES)

ORDER

DOCKET NO. AO06050359

BY THE BOARD:

The Board of Public Utilities ("the Board") is vested with broad authority over the public utility and cable television industries by N.J.S.A. 48:2-1 et seq. and N.J.S.A. 48:5A-1 et seq. As one part of its oversight responsibilities, the Board participates in the development and implementation of Security Best Practices for these industries. See New Jersey Domestic Security Preparedness Act, N.J. State, Section App. A:9-64 et seq.

In compliance with this charge, the Board has required all public utilities and cable television companies to implement Security Best Practices. I/M/O Revised Security Best Practices for All Public Utilities and Cable Television Companies, Docket No. AO04070733 (August 20, 2004). Since that time, the Board has worked with the electric, gas, water, telecommunications and cable television industries to provide effective security at all critical utility infrastructure sites throughout New Jersey. Through the experience and insight gathered by the Board during this implementation process, it has become clear that incorporating the Security Best Practices into the design of critical utility facilities is more effective and less costly than retrofitting these facilities to accomplish the same level of security. Accordingly, the Board HEREBY FINDS that it is prudent and appropriate for the Division of Reliability and Security to review all plans for the construction of new critical utility facilities, prior to construction, to ensure that the guidelines established by the Security Best Practices have been incorporated.

Accordingly, the Board HEREBY ORDERS:

- 1) That each public utility and cable television company subject to the Board's jurisdiction shall provide written notice to the Board's Division of Reliability & Security Staff ("Staff") at the beginning of the design phase of any planned new construction of a "critical facility" in order to ensure compliance with New Jersey's Security Best Practices. For purposes of this Order, the "beginning of any design phase" is defined as, at a minimum, one year before the start of scheduled construction while "critical facility" is defined as a site which meets the criteria established by the New Jersey Office of Homeland Security and Preparedness for Tier 1 and Tier 2 facilities
- 2) that the notice provided to the Division of Reliability & Security as required in paragraph 1 above shall include an itemized report that details how the design of the

facility meets the Security Best Practices; and

- 3) that the requirements set forth in paragraphs 1 and 2 above shall also be required for any planned construction at an existing facility that is not currently considered a "critical facility", but would become a "critical facility" after construction is completed.

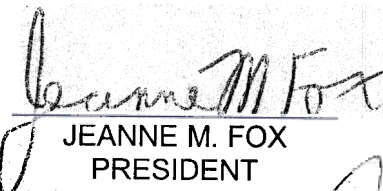
Staff will review all plans submitted pursuant to the procedures detailed above and will notify the entity which submitted the plans of the adequacy of or any concerns resulting from Staff's review within sixty (60) days of receipt. Staff will then attempt to resolve these concerns through further meetings and discussions with the entity presenting the plans.

In the event that these discussions do not produce a resolution, Staff shall so advise the Board, and the Board will take such further action as it deems appropriate within one hundred fifty (150) days of receipt of plans submitted pursuant to the procedures detailed above.

At the time of submittal of a construction plan pursuant to this Order, the utility submitting the plan shall identify any portions of the plan that are considered security sensitive and substantiate the need for confidential treatment consistent with the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

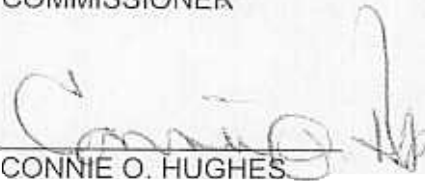
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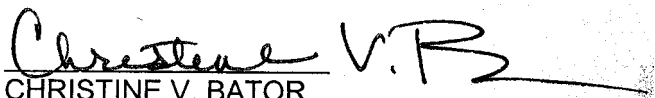
BOARD OF PUBLIC UTILITIES
BY:

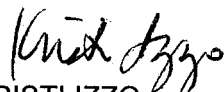

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ATTEST: 
KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

